

**Form 26: Application to Condominium Dispute Officer to Hear Dispute
Between Condominium Corporation and Unit Owner**
(under Section 33 of the *Condominium Act* and Section 82A of the *Condominium Regulations*)

File No. _____

Important dates for applicant:	
Date of application: <i>(date application is submitted)</i>	
Deadline for delivering application and supporting documents to respondent: <i>(10 days after date of application)</i>	
Deadline for returning affidavit of service to condominium dispute officer:	10 days after application delivered to respondent
Hearing date: <i>(if necessary)</i>	

Applicant and respondent contact information:	
<input type="checkbox"/> Applicant <input type="checkbox"/> Respondent	_____ County Condominium Corporation No. _____ contact person: address: phone number: e-mail address:
<input type="checkbox"/> Applicant <input type="checkbox"/> Respondent	Name: _____, owner of Unit No. _____ in _____ County Condominium Corporation No. _____ address: phone number: e-mail address:
Hearing location:	
<i>(to be filled in by Office of Service Nova Scotia)</i>	

To the respondent:

Take notice that the applicant has applied to have a condominium dispute officer hear a dispute between you and the applicant. The details about the dispute are set out in this application and in the attached information. If you want to respond to the application, you must send the condominium dispute officer a written response and deliver it to the hearing location no later than 10 days after the date you received this application, and give a copy of your response to the applicant. If you do not respond, an order can be made without your input.

Information on the powers of the condominium dispute officer are set out in this application. For further information on the process, please contact Office of Service Nova Scotia at:

(contact information for Department)

Application details:

The Applicant asks the condominium dispute officer to hear a dispute regarding *(check applicable box)*

- a breach of the by-laws about use of the common elements and/or units
- the condominium corporation failing to provide records of the corporation as required
- enforcement of the condominium corporation's rules about use of common elements

In particular, *(Set out details of dispute. Use a separate piece of paper if necessary.)*

Supporting documentation *(list below and attach copies)*

Powers of the condominium dispute officer:

A condominium dispute officer can hear certain disputes between a condominium corporation and a unit owner.

A condominium dispute officer may decide the dispute based on the written submissions of the parties without holding an oral hearing.

A condominium dispute officer has the power to make an order, and may do any of the following in the order:

- direct a condominium corporation to perform any of its duties under the *Condominium Act*, including maintaining and providing copies of corporate and financial records and enforcing condominium rules
- direct a condominium corporation to pay a fine for non-compliance
- set the fees that can be charged by a corporation for providing records
- direct a unit owner to comply with a by-law or rule and pay a fine for non-compliance

- split the application fee between the applicant and respondent

A condominium dispute officer's order can be made into an order of the Supreme Court of Nova Scotia and enforced as an order of the court.

(See Section 33 of the *Condominium Act* and Sections 82A and 82B of the *Condominium Regulations*)

Affidavit of Service:

I, _____ (*name*), of _____ (*civic address*), make oath/affirm that I served _____ (*name of person served*) on _____ (*date*) with a true copy of the attached application and the supporting documentation by _____ (*details of personal service or registered mail*).

Sworn to/Affirmed at

_____)
on _____ (*date*),
_____)
Commissioner of the Supreme Court of)
Nova Scotia)

_____ (*signature*)
before) _____
_____ (*printed name*)